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MOTION ASKS PERJURY CHARGES DROPPED

Ruling Is Awaited in Shaw Quash

CLAY L. SHAW

Criminal District Court Judge Malcolm V. O'Hara is scheduled to rule at 10 a.m. tomorrow on a motion by attorneys for Clay L. Shaw that a perjury charge against Shaw be thrown out.

In a motion to quash the charge, Shaw's attorneys contend the bill of information filed by District Attorney Jim Garrison's office does not conform with legal requirements of the code of criminal procedure.

The DA's office charged Shaw with perjury subsequent to his acquittal on March 1, 1969, on charges of conspiring to assassinate President John F. Kennedy.

SHAW'S ATTORNEYS filed the motion to quash on July 11 of last year.

Section 123 of the criminal code defines perjury as the "intentional making of a false written or oral statement under certain conditions," the defense pointed out.

However, the DA's bill of information charges Shaw "intentionally violated the statute in question," the lawyers said.

Shaw is accused of lying when he said he never had seen Lee Harvey Oswald in person, been acquainted with him or talked to him.

IN ANOTHER count, Shaw is charged with lying when he said he had not known David Ferrie or seen him in person.

The statements were made during Shaw's testimony on his own behalf during the trial, in which Shaw was accused of conspiring with Oswald and Ferrie to assassinate Kennedy.